



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/042,211	01/07/2002	Akio Matsuda	1254-0192P

2292  
BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

CONFIRMATION NO. 6200

## FORMALITIES LETTER



\*OC000000007517908\*

Date Mailed: 02/22/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/21/2002 JADD01 00000074 10042211

FILED UNDER 37 CFR 1.53(b)

02 FC:105

130.00 OP

Filing Date Granted

07/02/2002 Y6IZAM 00000009 022448 10042211  
01 FC:102 84.00 CH  
02 FC:103 342.00 CH  
03 FC:104 280.00 CH

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- **The balance due by applicant is \$ 130.**
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1);
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8,

2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*



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Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT  
1254-0192P

IN THE U.S. PATENT AND TRADEMARK OFFICE

**Compact Disk TRANSMITTAL LETTER**

Applicant: MATSUDA, Akio et al.  
Appl. No.: 10/042,211  
Filed: January 11, 2002  
For: NF-K B ACTIVATING GENE


The application identified above contains three (3) identical CD-Rs (two (2) CDs as the paper copy and one (1) CD as the computer readable form of the Sequence Listing) created using IBM-PC, MS-Windows operating system. The files contained on the CD-R are as follows:

File Name	Date of Creation	File Size
1254-0192P_SequenceListing.txt	April 19, 2002	920 KB

If there are any problems concerning the Compact Disk Submission, please contact the undersigned at telephone number (703) 205-8000 or by facsimile at (703) 205-8050.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By:   
Gerald M. Murphy, Jr., #28,977  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

GMM/BCF  
1254-0192P



BOX SEQUENCE  
PATENT  
1254-0192P

\$ mp  
Room

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: MATSUDA, Akio et al. Conf.: 6200  
Appl. No.: 10/042,211 Group: UNASSIGNED  
Filed: January 11, 2002 Examiner: UNASSIGNED  
For: NF-K B ACTIVATING GENE

LARGE ENTITY TRANSMITTAL FORM

Assistant Commissioner for Patents  
Washington, DC 20231

May 20, 2002

Sir:

Transmitted herewith is an amendment in the above-identified application.

☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

☐ The enclosed document is being transmitted via facsimile.

The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	31	-	31	=	0	\$ 18	\$0.00
INDEPENDENT	9	-	9	=	0	\$ 80	\$0.00
FIRST PRESENTATION OF A MULTIPLE CLAIM						\$270	\$0.00
						TOTAL	\$0.00

00000074 10042211

11 FEB 2002

110.00 OP

- ☒ Petition for one (1) month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$110.00 for the extension of time.
- ☐ No fee is required.
- ☒ A check in the amount of \$110.00 is enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Gerald M. Murphy, Jr.  
Gerald M. Murphy, Jr., #28,977

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

GMM/BCF  
1254-0192P

Attachment



BOX MISSING PARTS  
PATENT  
1254-0192P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Akio MATSUDA et al. Conf.: 6200  
Appl. No.: 10/042,211 Group: Unknown  
Filed: January 11, 2002 Examiner: UNKNOWN  
For: NF-k B ACTIVATING GENE

**THIS IS NOT A NEW PATENT APPLICATION**  
LETTER SUBMITTING DOCUMENTS  
FOR COMPLETION OF AN APPLICATION  
PURSUANT TO 37 C.F.R. § 1.53(f) and/or § 1.53(d)

**BOX MISSING PARTS**

Assistant Commissioner for Patents  
Washington, DC 20231

May 20, 2002

Sir:

The application papers for the above-identified application were originally filed on January 11, 2002 and the application was assigned Appl. No. 10/042,211.

**DOCUMENTATION**

- ☒ Under the provisions of 37 C.F.R. §§ 1.41(c) and 1.53(f), attached hereto is the executed Declaration of the inventor(s) (☒ original ☐ photocopy), necessary for completing the filing requirements in connection with the above-identified application.
- ☐ Under the provisions of 37 C.F.R. §§ 1.41(c) and 1.53(f), attached hereto is the executed Declaration that was attached to the specification at the time of execution. The attached specification is a true copy of the specification that was filed in the U.S. Patent and Trademark office on January 11, 2002, including any amendments thereto (if applicable) filed on even date therewith.

Appl. No. 10/042,211

- ☒ The undersigned hereby declares that "Attorney Docket No. 1254-0192P on page 1 of the attached inventors' Declaration, corresponds to Appl. No. 10/042,211, filed January 11, 2002, entitled "NF-κ B ACTIVATING GENE."
- ☒ Attached are twenty-nine (29) sheet(s) of formal drawings.
- ☒ Attached is a copy of the Notice to File Missing Parts of Nonprovisional Application.
- ☒ Attached is an English language translation of the above-identified application that was filed in a foreign language.
- ☐ See the attached Translator's Verification; or
- ☒ The undersigned states that the English translation attached hereto is a true and correct translation of the application as originally filed in a foreign language.
- ☐ Applicant claims small entity status under 37 C.F.R. § 1.27.
- ☒ Submitted concurrently herewith **under separate cover** for recording is an Assignment.

**FEES**

The Government Filing Surcharge(s) (37 C.F.R. § 1.16(e) and/or § 1.17(k)) and the basic Government Filing Fee(s) (37 C.F.R. § 1.16(a)-(d), if applicable) is/are attached hereto and calculated as follows:

- ☐ Basic Filing Fee(s): (37 C.F.R. § 1.16(a)-(d))
- ☒ The Government Filing Surcharge under 35 U.S.C. § 1.16(e)) for late filing of filing fee, oath and/or declaration:
  - ☒ Large Entity - \$130.00
  - ☐ Small Entity - \$ 65.00)
- ☒ The Government Filing Surcharge under 37 C.F.R. § 1.17(i)) for filing of translation of non-English Specification in the amount of \$130.00:
  - ☒ was previously paid for concurrently with the filing of the application on January 11, 2002.
  - ☐ is attached hereto.

☐ No extension fee is required because the undersigned has not yet received the Notice to File Missing Parts of Nonprovisional Application. However, if for some reason it is determined that an extension of time is necessary, applicant hereby respectfully petitions for an extension of time for the filing of the present paper in accordance with the provisions of 37 C.F.R. § 1.136 and 37 C.F.R. § 1.17.

☒ Applicant hereby respectfully petitions for a one (1) month extension of time for the filing of the present paper in accordance with the provisions of 37 C.F.R. § 1.136 and 37 C.F.R. § 1.17. The required fee of \$110.00 is attached hereto.

☒ Checks in the amount of \$130.00 to cover the surcharge fee, and \$110.00 to cover the extension of time fee are enclosed.

☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.



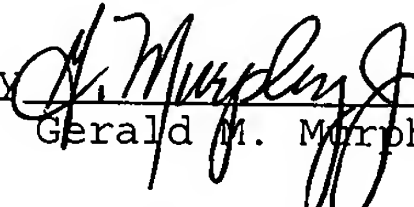
Appl. No. 10/042,211

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

  
Gerald M. Murphy, Jr., #28,977

P.O. Box 747

Falls Church, VA 22040-0747

(703) 205-8000

GMM/las  
1254-0192P

Attachments

(Rev. 12/03/01)